



AFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/805,606 ✓
		Filing Date	March 19, 2004
		First Named Inventor	Donald J. Lewis
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	5+	Attorney Docket Number	81100233

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> -PTO 1449 Form
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> -Copies of Unpublished Patent Applications
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Christopher S. Tuttle, Registration No. 41,357 Kolisch Hartwell, P.C.
Signature	
Date	September 23, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Lauren Barberena
Signature	
Date	September 23, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: September 23, 2004

DONALD J. LEWIS, JOHN D. RUSSELL
JOHN O. MICHELINI and MICHAEL J. CULLEN

Serial No.: 10/805,606

Filed : March 19, 2004

For : IMPROVED ENGINE BREATHING IN AN ENGINE WITH
MECHANICAL AND ELECTROMECHANICAL VALVES

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S i r :

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form. The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

CONTENT OF DISCLOSURE

This Information Disclosure Statement includes (1) two pages of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form. However,

because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

Please note that for all 21 cited references the Detailed Description and Figure are the same. Therefore, to reduce the burden on the PTO, Applicants have submitted only a single complete application (10/805,638), and have submitted only the Background, Summary, Claims and Abstract of the remaining 20 cited references. If the PTO requires complete copies, please so indicate.

TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on September 23, 2004.



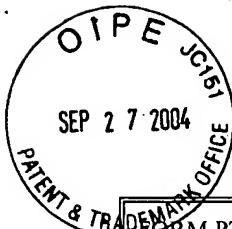
Lauren Barberena

Respectfully submitted,

KOLISCH HARTWELL, P.C.



Christopher S. Tuttle
Registration No. 41,357
Customer No. 23581
520 S.W. Yamhill St., Suite 200
Portland, Oregon 97204
Telephone: (503) 224-6655
Facsimile: (503) 295-6679
Attorney for Applicant



SHEET 1 OF 2

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER 81100233	APPLICATION NUMBER 10/805,606				
		APPLICANT(S) Lewis et al.					
		FILING DATE March 19, 2004	GROUP ART UNIT				
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME				
	10/805,638	3-19-2004	Lewis et al.				
	10/805,636	3-19-2004	Lewis et al.				
	10/805,639	3-19-2004	Lewis et al.				
	10/805,657	3-19-2004	Lewis et al.				
	10/805,625	3-19-2004	Lewis et al.				
	10/805,613	3-19-2004	Lewis				
	10/805,575	3-19-2004	Lewis et al.				
	10/805,611	3-19-2004	Michelini et al.				
	10/805,637	3-19-2004	Lewis et al.				
	10/805,651	3-19-2004	Lewis et al.				
	10/805,645	3-19-2004	Lewis et al.				
	10/805,648	3-19-2004	Lewis et al.				
	10/805,654	3-19-2004	Lewis et al.				
	10/805,642	3-19-2004	Lewis et al.				
	10/805,607	3-19-2004	Lewis et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
OTHER DOCUMENTS							
EXAMINER		DATE CONSIDERED					

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER 81100233		APPLICATION NUMBER 10/805,606			
		APPLICANT(S) Lewis et al.					
		FILING DATE March 19, 2004		GROUP ART UNIT			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME		CLASS	SUB CLASS	FIL. DATE IF APPROP.
	10/805,573	3-19-2004	Lewis et al.				
	10/805,635	3-19-2004	Lewis et al.				
	10/805,615	3-19-2004	Michelini et al.				
	10/805,626	3-19-2004	Gibson et al.				
	10/805,644	3-19-2004	Winstead et al.				
	10/805,612	3-19-2004	Lewis et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS							
EXAMINER			DATE CONSIDERED				